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7/7/03

Remarks

The Examiner is thanked for the thoughtful review of the amendments filed in Response dated 2/18/2003. In the current Office Action, the Examiner rejected pending claims (Claims 1-3, 5-27, and 29-42) on obviousness grounds under 35 U.S.C. § 103(a) as unpatentable over Kuwahara (US Pat. No.: 6,202,072) in view of Arn et al PCT Application Publication No.: WO 94/14122, both of which are respectively referred to hereinafter as Kuwahara and Arn. It is respectfully submitted that the present rejection is improper and that the invention would not have been obvious in view of Kuwahara and Arn for the following reasons. Applicants request reconsideration of the application in view of these remarks.

PATENTABILITY OF CLAIM 1

It is axiomatic that an invention in a patent application is defined by, and must be examined with respect to, the specific language of the claims. Claim 1 is set forth below with the specific features underlined:

receiving a definition file including document type definitions (DTD) to generate a tree structure of hierarchical relationships of document elements;
displaying an output presentation along with the DTD and the tree structure simultaneously, the output presentation including a number of displayable objects and respective decoration attributes about each of the displayable objects, the DTD showing structures of the document elements and the tree structure showing the hierarchical relationships of the document elements based on a root element selected among the document elements;
— associating at least one of the document elements in the tree structure with one of the displayable objects; and
creating the structured document from the output presentation in accordance with the at least one of the document elements being associated with the one of the displayable objects.

(emphasis added)

As described between lines 25 of page 18 to line 5 of page 19 and FIG. 3B in the Specification, when a DTD (Pool) 328 is loaded in FIG. 3B, a (XML) tree structure 330 is generated or derived from the DTD 328 and subsequently shows the hierarchical relationships of the document elements. The Applicant wishes to point out that the tree structure 330 is generated based on a root element. In other words, the tree structure 330 is formed with reference to a root element ("receipt" is used as the root element in

FIG. 3) and it is the tree structure that is used to facilitate the association of the displayable objections with the document elements. Essentially, there are three items being displayed: an output presentation, a DTD and a derived tree structure.

In contrast, Kuwahara receives a DTD but fails to teach or suggest to generate a tree structure from the DTD. However, the Examiner, in lines 2-5 on page 9, characterizes the DTD in FIG. 2 of Kuwahara as both a DTD and a derived tree structure ("a tree structure within a DTD"). The Applicant respectfully disagrees with such characterization by the Examiner. There is no evidence in the record of any suggestion to view a DTD as two items as recited in Claim 1. The Examiner's posited rationale is believed to be that a DTD includes a tree structure and therefore could be viewed as a DTD and a derived tree structure, which clearly contradicts what is recited in Claim 1. According to Claim 1, the tree structure possesses the following characteristics: 1) generated from a DTD; 2) based on a root element selected among the document elements; and 3) displayed simultaneously with the DTD. It is evident to those skilled in the art that a DTD and a tree structure are two separate items (e.g., 328 and 330 in FIG. 3B of the application). Further, the tree structure is generated based on a root element and can be different from the DTD depending on the root element.

Agreed by the Examiner, Kuwahara does not teach the display of the DTD. Arn is cited then to show that a DTD is displayed. In Fig. 2 of Arn, a DTD is indeed displayed in the left panel 19 and the content is displayed in the right panel 20. However, there are the only two items displayed in Arn. There is no any indication in Arn that a separate tree structure is generated or derived from the DTD and displayed at the same time with the DTD. As described in the specification, the display of the tree structure is important as it is used to facilitate the association of the displayable objections with the document elements.

The Applicant submits neither Kuwahara nor Arn, viewed alone or in combination have taught or suggested the combined features in the amended Claim 1. Accordingly, it is believed that Claims 1-3 and 5-14 shall be allowable over the cited references.

Official

7/7/03

PATENTABILITY OF CLAIM 15

Claim 15 includes distinct features that are neither taught nor suggested in Kuwahara nor Arn, viewed alone or in combination. In particular, Claim 15 recites "the second display displaying a definition file including document type definitions (DTD) and a tree structure showing hierarchical relationships among document elements, the tree structure derived from the DTD and based on a root element selected among the document elements", which means both a DTD and a tree structure are displayed at the same time (see DTD 330 and a tree structure 328 in FIG. 3B of the application). Further it recites relevant actions take place with the tree structure (not the DTD) by "associating each of the group objects with the identifier in one of the document elements of the tree structure; and creating the structured document from the output presentation in accordance with the at least one of the document elements of the tree structure being associated with the one of the displayable objects". (*emphasis added*) Accordingly, it is believed that Claims 15-24 shall be allowable over the cited references.

PATENTABILITY OF CLAIM 25 and 39

Independent Claims 25 and 39 are computer program product claims, mirroring the preceding method claims. The Examiner rejects the Claims 25 and 39 and the corresponding dependent claims 26 - 27, 29- 38 and 40 - 42 using the similar reasons. Hence, the Applicant respectfully requests that the Examiner reconsider the amended Claims 25 and 39 and their respective corresponding dependent claims in view of the remarks presented in the foregoing.

SUMMARY

Based on the foregoing, it is submitted that Claims 1-3, 5-27, and 29-42 are patentably distinct from Kuwahara nor Arn. None of cited references, viewed alone or in combination, has taught or suggested the features recited in Claims 1, 15, 25 and 39. Therefore, it is respectfully requested that the Examiner withdraw the rejection under 35 USC §103(a) in view of the remarks above. Early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being faxed to the attention of Mr. Examiner William L. Bashore at (703)746-7239.

on _____, 2002.

Signed: _____

Respectfully submitted;

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